REMARKS

In the Final Office Action mailed April 10, 2003, claims 1, 2, and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ghori (U.S. Patent No. 6,282,714-B1) in view of Hamalainen et al. (U.S. Patent No. 5,729,541) and Garofalakis (U.S. Patent No. 6,330,609), claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen et al. and Garofalakis in further view of Spaur (U.S. Patent No. 5,732,074); claims 4, 5, 7, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen et al. and in further view of Spaur and Chang (U.S. Patent No. 5,974,449); claims 10, 11, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen and Lange (U.S. Patent No. 4,555,806); claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen and Lange and in further view of Chang; claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen and Lange in further view of Spaur; claims 13, 14, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghori in view of Hamalainen and Lange in further view of Spaur. The foregoing rejections are respectfully traversed.

Claims 1, 4, 6, 8, 10, 13, and 15 are amended. Care has been exercised to avoid the introduction of new matter.

Claims 1-8 and 10-17 are pending and under consideration.

Ghori discusses a receiver receiving a degraded signal through a link because the received signal is composed of a number of signals that correspond to the same transmitted signal but reach the receiver through a variety of paths. That is, such a link does not offer protection against signal degradation due to the multi-path phenomena (column 2, lines 16-24 of Ghori). To solve the above problem of the prior art, Ghori discusses a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals (column 7, lines 14-15 of Ghori). This distribution pattern is based on either direct sequence coding or frequency hopping. In frequency hopping, a transmitter transmits at a particular frequency for a short time interval, then switches to another frequency for another short interval, and so on. Only the receiver knows the random frequency selection sequencing (column 7, lines 20-32 of Ghori).

Hamalainen relates to a TDMA (time division multiple access) system (refer to the

Abstract, col. 3, lines 24-37, col. 4, lines 64-67). Moreover, Hamalainen in cols. 7-9 discloses a bit map based upon a random number generated regarding channels and packed data.

Garofalakis discusses a TDMA system which determines a channel group and scans a number of channels to see which channels are free in the channel group, then selects a free channel in a lower-numbered channel group for transmission (refer to Garofalakis, col. 7-col. 11, and, in particular, col. 8 at lines 1-33). Garafolakis, in contrast to the present invention, as disclosed in Figure 3, first determines 172 a channel group, then if no free channels are included 174 in the channel group, queries 176 whether lower channel groups are available.

Spaur discloses a mobile wireless communication system used with the Internet.

Chang discusses a system transmitting messages from a number of different platforms, sending e-mail messages over the internet or intranet using the IP protocol, resolving the domain name of the e-mail address to a mail server, and transmitting the e-mail to the mail server, allowing the user to login to the mail server using a permanent or temporary IP address.

Lange discusses a transmitter receiver pair scanning a number of channels to see which channels are free, and displaying the free channels on a CRT (col. 1, lines 21-59, and col. 4 and col. 5). Lange, in contrast to the present invention, as disclosed in cols. 1, 4, 5, and 6, evaluates channels based upon channel quality "before beginning the establishment of a connection" (Lange, col. 5, at lines 17-20), then selects the channel based upon the channel which has registered the best quality (col. 6, lines 7-13).

The combination of Ghori, Hamalainen, and Garofalakis would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals, in a TDMA system, which determines a channel group, scans free channels in the determined channel group, and selects a lower-numbered channel group if no free channels are available in the determined channel group.

The combination of Ghori, Hamalainen, Garofalakis, and Spaur would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals in which a mobile wireless communication system is involved, in a TDMA system which determines a channel group, scans free channels in the determined channel group, and selects a lower-numbered channel group if no free channels are available in the determined channel group.

The combination of Ghori, Hamalainen, Garofalakis, Chang, and Spaur would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals in which

a mobile wireless communication system is involved, in a TDMA system which determines a channel group, scans free channels in the determined channel group, and selects a lower-numbered channel group if no free channels are available in the determined channel group, in a system transmitting e-mail.

The combination of Ghori, Hamalainen, and Lange would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals, in a TDMA system, which displays free channels on a CRT.

The combination of Ghori, Hamalainen, Lange, and Chang would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals, in a TDMA system, which displays free channels on a CRT, in a system transmitting e-mail messages.

The combination of Ghori, Hamalainen, Spaur, and Lange would be a spread spectrum transceiver utilizing spread spectrum modulation to modulate signals, in a TDMA system, which displays free channels on a CRT, in a mobile wireless communication system.

In contrast to the foregoing references relied upon, either alone or in combination, the present invention "automatically" selects a free channel starting from a lower channel (refer to the second paragraph on page 12 of the present specification) to broadcast data. In addition, the present invention receives input (pages 15 and 16 of the present application) as to selecting a channel on which to receive the broadcast data.

In contrast to the foregoing references relied upon, each of independent claims 1, 4, 6, 10, 13 and 15 of the present application recites (using the recitation of claim 1 as amended herein as an example) "making, when there exist a plurality of free channels, a transmitter automatically select a free channel starting from a lower-number channel".

Moreover, dependent claims 2, 3, 5, 7, 8, 11, 12, 14, 16, and 17 recite patentably distinguishing features of their own. For example, claim 2/1 recites "a cipher processing unit, wherein the file read from said file storing unit is encrypted by said cipher processing unit and thereafter transmitted from said transmitting unit".

Withdrawal of the foregoing rejections is respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge

the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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By: _____

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